GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:1256
ANSWERED ON:24.07.2017
ILO Fundamental Conventions
Mahajan Smt. Poonam

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a)the details of the International Labour Organisation (ILO) fundamental conventions that the Government has ratified and those conventions that the Government has not ratified;
(b)the reasons for not ratifying the Freedom of Association and Protection of Right to Organised Convention (No.87) and the Right to Organise and Collective Bargaining Convention (No.98) despite the fact that several provisions in these Conventions are already guaranteed; and
(c)the details of efforts undertaken by the Government to move towards ratifying the said conventions and the time frame by which the conventions are expected to be ratified?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a): India has ratified six out of the eight core/fundamental International Labour Organisation (ILO) Conventions. These are the Forced Labour Convention, 1930 (No. 29), Abolition of Forced Labour Convention, 1957 (No. 105), Equal Remuneration Convention, 1951 (No. 100), Discrimination (Employment and Occupation) Convention, 1958 (No. 111), Minimum Age Convention, 1973 (No. 138) and Worst Forms of Child Labour Convention, 1999 (No. 182).
Contd..2/-

India has not ratified the core/fundamental Conventions, namely Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and Right to Organise and Collective Bargaining Convention, 1949 (No. 98).
(b): The main reason for non-ratification of ILO Conventions No.87 & 98 is due to certain restrictions imposed on the Government servants. As communicated by Department of Personnel & Training (DOPT), the ratification of these conventions would involve granting of certain rights that are prohibited under the statutory rules, for the Government employees, namely, to strike work, to openly criticize Government policies, to freely accept financial contribution, to freely join foreign organizations etc.
In India we ratify an ILO Convention only when the national laws are brought fully into conformity with the provisions of the Convention in question.
(c): Government of India has been taking various pro-active steps to examine the prospects of ratifying Conventions No. 87 & 98, including holding regular discussions on the issue with the stakeholders. The matter has also been widely discussed in the meetings of the Tripartite Committee on Conventions (COC). A meeting under the Chairmanship of Secretary (Labour & Employment) is scheduled on 09.08.2017 along DOPT and ILO to further look into the matter, including international practices. Ratification of ILO Convention is a voluntary process and no time frame has been agreed for the same.

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